# REQUEST FOR COUNCIL ACTION

MEETING

DATE: 03.03.0

		DATE: 03-03-03
AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO.
ITEM DESCRIPTION: Land Subdivision Permit (preliminary plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide approximately 9.44 acres of land into 25 lots for single family development and proposes to dedicate right-of-way for a cul-de-sac roadway. The property is located south of 21 <sup>st</sup> Street NE, east of Century Hills First Subdivision, west of Shannon Oaks Subdivision and north of Century Hills Sixth Subdivision.		PREPARED BY: Theresa Fogarty, Planner

February 27, 2003

Note: Staff is recommending a revision to Condition #4. Recommended revisions are shown as strikeout text for text to be deleted.

# City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission held a public hearing on February 12, 2003 to consider this preliminary plat.

Mr. Wade Dumond of Yaggy Colby Associates, addressed the Commission and stated that the applicant was in agreement with the staff-recommended conditions (as revised by Ms. Baker).

The Planning Commission found that this preliminary plat will conform with the applicable criteria with the following conditions or modifications:

- 1. The Plat shall be revised:
  - a. Change the roadway designation of "Street A" to "Century View Lane NE".
- 2. Dedication of parkland shall be met via: Deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 17, 2003.
- 3. Prior to recording the Final Plat for this development, the dedication of an off-site drainage easement to point discharge stormwater between Lots 9 & 10, shall be required.
- 4. The cul-de-sac associated with this plan is indicated as less than 96 feet and shall be posted "No Parking" along the entire length of the cul-de-sac.
- 5. Pedestrian Facilities shall be constructed, at the Developer's expense, along both sides of the proposed cul-desac and the entire frontage of the south side of 21st Street NE.
- 6. A Storm Water Management Fee shall apply for the benefit of participation in the City's Storm Water Management Plan, for any area of this proposed development that do not drain to a privately constructed permanent detention facility, built to serve this property.

Mr. Burke moved to recommend approval of Land Subdivision Permit (preliminary plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision with staff-recommended findings and conditions (as revised by Ms. Baker). Mr. Ohly seconded the motion. The motion carried 6-0.

COUNCIL ACTION: Motion by:	Second by:	_ to:

RCA
Preliminary Plat – Century Hills 7th 2/27/2003

### **Planning Department Recommendation:**

See attached staff report, dated February 4, 2003.

### Council Action Needed:

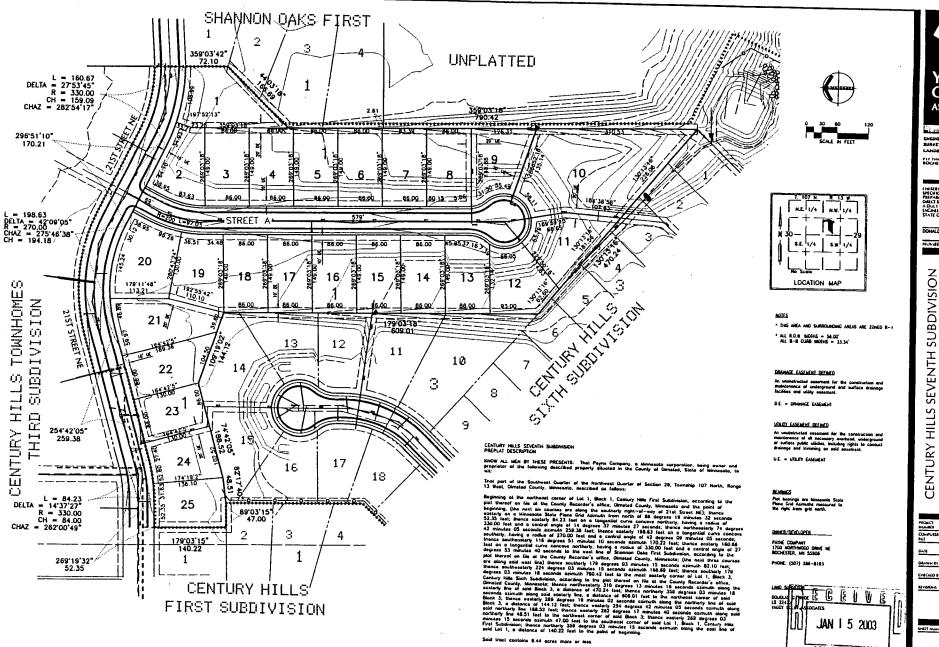
1. The Council may approve, approve with conditions, or deny the land subdivision permit. The Council must make findings of fact based on the criteria included in the staff report. A motion to deny must include supporting reasons for a conclusion that at least one of the fifteen findings for denial in paragraph 61.225 can be made.

### Attachments:

- 1. Staff report, dated February 4, 2003.
- 2. Minutes of the February 12, 2003 CPZC Meeting.

### Distribution:

- 1. City Administrator
- 2. City Attorney
- 3. Planning Department File
- 4. Planning Department, GIS Division
- 5. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, March 3, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
- 6. Yaggy Colby Associates



ASSOCIATES A PROPERTY OF THE PARTY OF THE

ENGINEERS - ARCHITECTS SURVEYORS - PLANNERS LANDSCAPE ARCHITECTS PIT THIRD AVENUE EQUITHEAST ROCHESTER, MINNESOTA 13804 507-308-044 FAX 507-208-050 EMAIL INFORTACOT.COM

E MERBY CERTY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DRELT SURFYSION AND THAT I AM A DULY LICENSED PROFESSIONAL ENCURE UNDER THE LAWS OF THE STATE OF MINNISOTS.

DOWN D. B. BORCHERONIC

NUNBER

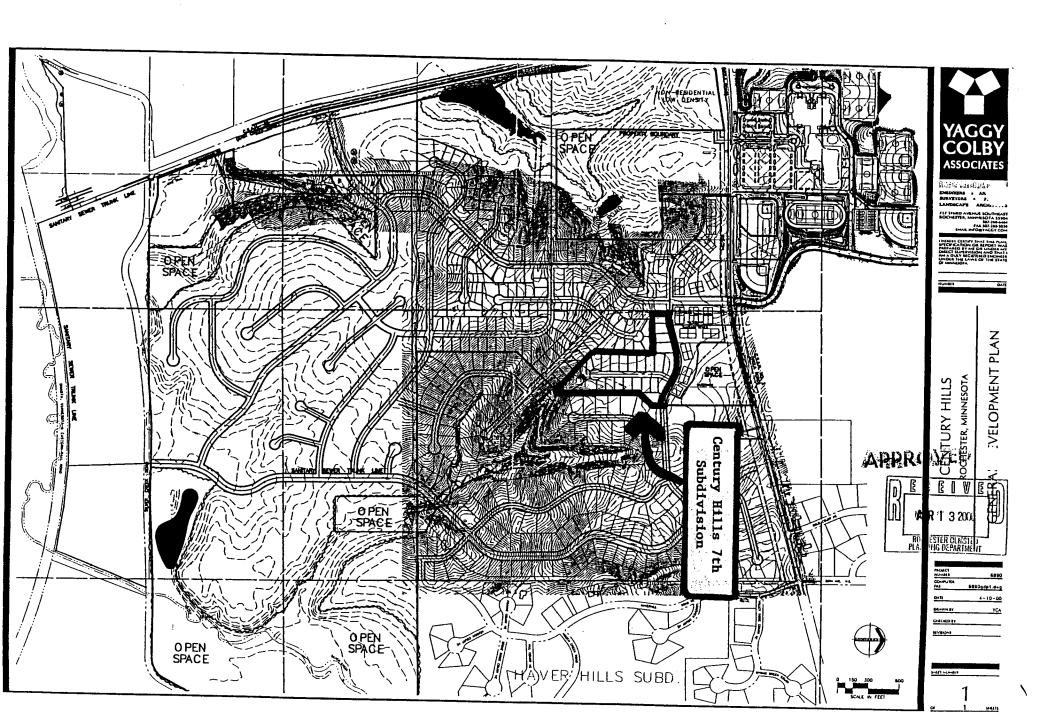
ROCHESTER, MINNESOTA

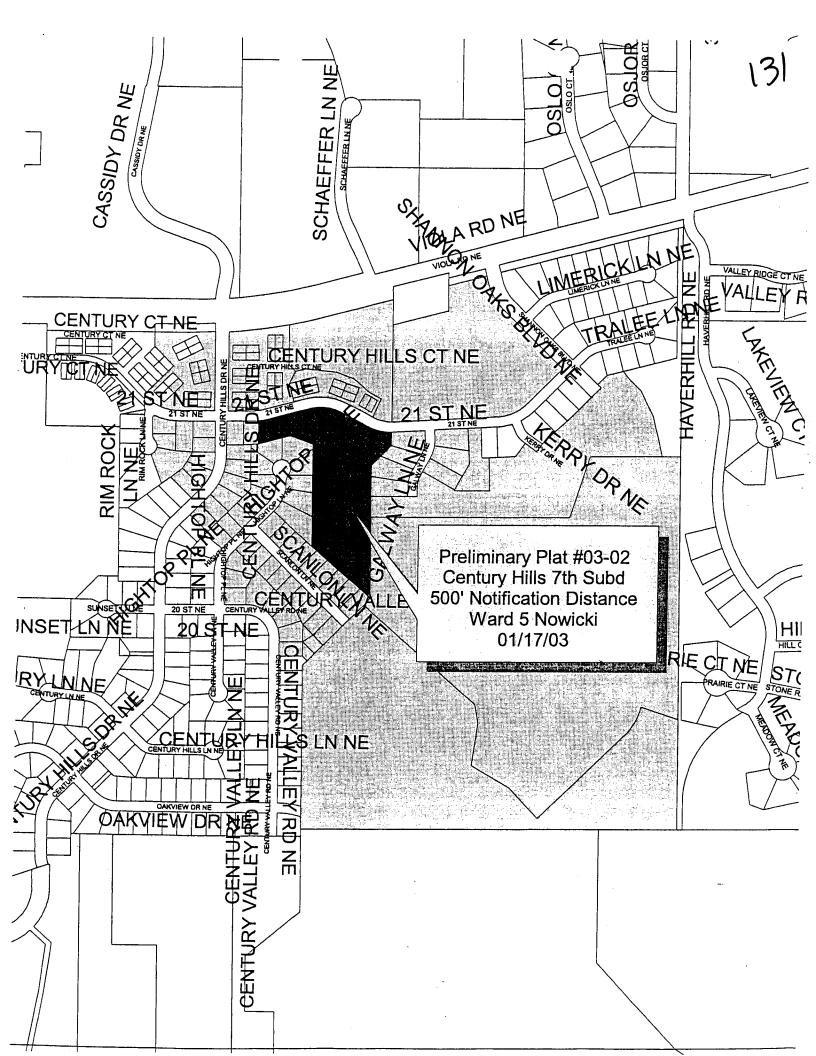
PRELIMINARY PLA'



CHICKED BY











ROCHESTER-OLMSTED PLANNING DEPARTMENT 2122 CAMPUS DR SE

**ROCHESTER MN 55904-4744** 

ADMINISTRATION/

507/285-8232

PLANNING

GIS/ADDRESSING/ 507/285-8232

**MAPPING** 

HOUSING/HRA 507/285-8224

BUILDING CODE WELL/SEPTIC

507/285-8213 507/285-8345

507/287-2275

RE:

DATE:

TO:

Land Subdivision Permit (Preliminary Plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide approximately 9.44 acres of land into 25 lots for single family development and proposes to dedicate right-of-way for a cul-de-sac roadway. The property is located south of 21st Street NE, east of Century Hills First Subdivision, west of Shannon Oaks Subdivision and north of Century Hills

Sixth Subdivision.

FROM: Theresa Fogarty, Planner

**February 4, 2003** 

**City Planning and Zoning Commission** 

## Planning Department Review:

Applicant/Owner:

Payne Company

1700 Northwood Drive NE Rochester, MN 55906

Surveyors/Engineers:

Yaggy Colby Associates 717 3<sup>rd</sup> Avenue SE Rochester, MN 55904

**Referral Comments:** 

**RPU Water Division** 

Park and Rec. Department

Rochester Public Works Department Planning Department - GIS Division

Rochester Fire Department

Report Attachments:

- 1. Land Development Manual Excerpts
- 2. Referral Comments (5 letters)
- 3. Location Map
- 4. Copy of Preliminary Plat
- 5. Century Hills General Development Plan

### **Development Review:**

Location of Property:

The property is located south of 21st Street NE, east of

Century Hills First Subdivision, west of Shannon Oaks

Subdivision and north of Century Hills Sixth

Subdivision.



Page 2 Preliminary Plat #03-02 Century Hills 7th February 4, 2003

Zoning:

The property is currently zoned R-1 (Mixed Single Family) district on the City of Rochester Zoning Map.

**Proposed Development:** 

This development consists of 9.44 acres of land to be subdivided into 25 lots for single family development.

Roadways:

This plat proposes to dedicate one new right-of-way identified as "Street A". This roadway is designed with a 56' right-of-way ending in a cul-de-sac. The cul-de-sac appears to be less than 96 feet in diameter and shall be marked "No Parking" along the entire cul-de-sac.

This roadway needs a designation. It is recommended that the roadway be identified on the final plat as "Century View Lane NE".

**Pedestrian Facilities:** 

In accordance with current City policy and the approved Development Agreement pedestrian facilities will be required along both side of the proposed cul-de-sac and the entire frontage of the south side of 21<sup>st</sup> Street NE.

Drainage:

The topography of this plat indicates drainage from north to south.

Grading and drainage plans will need to be approved by the City Public Works Department prior to the submittal of the final plat.

A Storm Water Management Fee will apply for the benefit of participation in the City's Storm Water Management Plan, for any areas of this proposed development that do not drain to a privately constructed permanent detention facility, built to serve this property.

Dedication of an off-site drainage easement to point discharge stormwater between Lots 9 & 10 is required prior to recording the Final Plat for this development.

Wetlands:

The Soil Survey and National Wetland Indicator maps were reviewed for the presence of wetlands. The maps do not indicate the presence of wetlands on this property.

Public Utilities:

A Development Agreement has been executed for this property.

Static water pressures within this area will range from 50 to 56 PSI.

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Page 3 Preliminary Plat #03-02 Century Hills 7th February 4, 2003

Spillover Parking:

As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 30 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well.

Parkland Dedication:

The City Park and Recreation Department recommends that dedication requirements be met via: Deferred land dedication. Land to be dedicated at site of neighborhood park / space located south of Century Hills 5<sup>th</sup> and identified on the GDP as open space.

**General Development Plan:** 

This property is included within the Century Hills

General Development Plan (GDP).

### Staff Review and Recommendation:

Section 61.225 of the Land Development Manual lists the findings which must be considered by the Planning Commission and the Council when reviewing a land subdivision permit application. This section is attached for your information.

The Planning staff has reviewed this preliminary plat request under the provisions of Section 61.225 of the LDM, effective May 15, 1999. A Development Agreement has been executed with the City for this property, therefore staff recommends approval of this plat with the following conditions / modifications:

- 1. At the time of Final Plat submittal:
  - a. Change the roadway designation of "Street A" to "Century View Lane NE".
- 2. Dedication of parkland shall be met via: Deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 17, 2003.
- 3. Prior to recording the Final Plat for this development, the dedication of an off-site drainage easement to point discharge stormwater between Lots 9 & 10, shall be required.
- 4. The cul-de-sac associated with this plan is indicated as less than 96 feet and shall be posted "No Parking" along the entire length of the cul-de-sac.
- 5. Pedestrian Facilities shall be constructed, at the Developer's expense, along both sides of the proposed cul-de-sac and the entire frontage of the south side of 21<sup>st</sup> Street NE.
- 6. A Storm Water Management Fee shall apply for the benefit of participation in the City's Storm Water Management Plan, for any areas of this proposed development that do not drain to a privately constructed permanent detention facility, built to serve this property.

Page 4 Preliminary Plat #03-02 Century Hills 7th February 4, 2003



### Reminder to Applicant:

- Prior to development, the property owner will need to execute a City / Owner Contract for construction of all public infrastructure and utilities to serve this subdivision.
- This Plat is subject to the Subdivision regulations which became effective May 15, 1999. Approved grading, drainage and construction plans will need to be submitted with the final plat application, if the applicant intends to record the final plat documents prior to completion of infrastructure improvements.



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Preliminary Plat #03-02
Century Hills 7th
February 4, 2003

# CITY OF ROCHESTER ZONING ORDINANCE AND LAND DEVELOPMENT MANUAL EXCERPTS

#### 61.225 Finding for Land Subdivision:

The Zoning Administrator, Commission or Council shall approve a development permit authorizing a land subdivision if all of the following findings with respect to the proposed development are made:

- A. The proposed land subdivision conforms to all relevant requirements of this ordinance and variances have been granted to permit any nonconformance.
- B. That the proposed water system and sanitary sewer system are adequate to serve the normal and fire protection demands of proposed development and to provide for the efficient and timely extension to serve future development.
- C. That the plan for soil erosion and stormwater management meets the adopted standards of the City of Rochester and is consistent with the adopted Stormwater Management Plan or adopted drainage or stormwater policies.
- D. That the vehicular and non-motorized system is consistent with adopted transportation plans and is consistent with the street layout standards listed in Section 64.120 and traffic service standards in Section 61.526.
- E. That the lot and block layout provide for safe and convenient vehicular, service and emergency access, efficient utility service connections, and adequate buildable area in each lot for planned uses.
- F. That the proposed land subdivision has taken into account the current 6-Year and other Long-Range Capital Improvements Programs and the elements listed therein in the design of the subdivision.
- G. That the proposed subdivision, if in a resident zoning district, -addresses the need for spillover parking consistent with the requirements of Section 63.426.
- H. That right-of-ways and easements of adequate size and dimensions are -provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.
- I. That the proposed parks, trail thoroughfares and open space dedications are consistent with adopted plans, policies and regulations.
- J. That the proposed subdivision will not have off-site impacts on the street, drainage, water or wastewater systems that exceed adopted standards.
- K. That the proposed subdivision will not have adverse impacts on the safety or viability of permitted uses on adjacent properties.
- L. That the proposed land subdivision is designed in such a manner as to allow for continued development in an efficient manner on adjacent undeveloped lands.

Page 6 Preliminary Plat #03-02 Century Hills 7th February 4, 2003

- M. That the soils, topography and water tables have been adequately studied to ensure that all lots are developable for their designated purposes.
- N. That the proposed land subdivision is consistent with the standards of the City's adopted Comprehensive Plan.
- O. That any land located within Zone A as shown as on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, Rochester, Minnesota prepared by the Federal Emergency Management Agency, is -determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitation for development, severe erosion potential or any other floodplain related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance.
- P. That the proposed land subdivision, if approved, would not result in a violation of federal state law, or city or county ordinance.

### 61.226 Conditions on Approvals:

In considering an application for development permit to allow a land subdivision, the approving body shall consider and may impose modification or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Section 61.225.



January 22, 2003

Rochester-Olmsted CONSOLIDATED PLANNING DEPARTMENT 2122 Campus Drive SE Rochester, MN 55904-7996

REFERENCE: Preliminary Plat #03-02 by Payne Company to be known as Century Hills Seventh Subdivision.

Dear Ms. Garness:

Our review of the referenced preliminary plat is complete and our comments follow:

- 1. Static water pressures within this area will range from 50 to 56 PSI.
- 2. Minor revisions to the proposed water system layout are required. We have provided the applicant's engineering firm with these comments.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson

Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention Bureau
Gary Schick, Building & Safety
Wade Dumond, Yaggy Colby Associates
Payne Company

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# ROCHESTER PARK AND K⊂CREATION DEPARTMENT 201 FOURTH STREET SE ROCHESTER MINNESOTA 55904-3769 TELE 507-281-6160 FAX 507-281-6165

### MEMORANDUM

DATE:

Jan 17, 2003

TO:

Jennifer Garness

**Planning** 

RE:

Century Hills 7<sup>th</sup>

Preliminary Plat #03-02

The Park and Recreation Department recommends that dedication requirements be met via:

Deferred land dedication. Land to be dedicated at site of neighborhood park / open space located south of Century Hills 5th and identified on the GDP as open space.

Applicant: Payne Company 1700 Northwood Drive NE



# ROCHESTER

# — Minnesota

TO: Consolidated Planning Department 2122 Campus Drive SE Rochester, MN 55904

DEPARTMENT OF PUBLIC WORKS 201 4<sup>th</sup> Street SE Room 108 Rochester, MN 55904-3740 507-287-7800 FAX -- 507-281-6216

FROM: Mark E. Baker

DATE: 1/31/03

The Department of Public Works has reviewed the application for <u>Preliminary Plat #03-02</u> for the proposed <u>Century Hills Seventh Subdivision</u>. The following are Public Works comments on this request:

- 1. A Development Agreement has been executed for this Property.
- 2. A Storm Water Management Fee will apply for the benefit of participation in the City's Storm Water Management Plan, for any areas of this proposed development that do not drain to a privately constructed permanent detention facility, built to serve this property.
- 3. Dedication of an off-site drainage easement to point discharge stormwater between Lots 9 & 10, is required prior to recording the Final Plat for this development.
- 4. Pedestrian facilities will be required along both sides of the proposed cul-de-sac, and the entire frontage of the south side of 21<sup>st</sup> St NE.
- 5. Execution of a City-Owner Contract is required for the proposed new public streets and utilities to serve this development.
- 6. Preliminary Construction Plan comments will be provided separately to the Developer's Engineer.

Development charges and fees applicable to the development of this property will be addressed in the Development Agreement, and will include the following (rates are subject to annual review and change and are current through 7/31/03):

- ❖ Trunkline Sanitary Sewer (J9218) @ \$1403.17 per acre + 7.5% interest from 5/4/98
- ❖ High Level Water Tower in Northern Heights Area (J9288) @ \$1021.46 per acre + 7.5% interest from 5/4/98
- Remaining Principal Balance + Interest for J9379. based on the Contribution Agreement executed for this project.
- ❖ A Stormwater Management Fee @ \$2211.76 per acre, for any area of this property that does not drain toward a privately constructed detention facility to serve this development
- ❖ First Seal Coat contribution @ \$0.49 per square yard of public street surface.
- Traffic Signs as determined by the City Engineer





Rochester-Olmsted Planning Department GIS/Addressing Division 2122 Campus Drive SE Rochester, MN 55904-4744

Phone: (507) 285-8232 Fax: (507) 287-2275

### **PLAT REFERRAL RESPONSE**

DATE:

January 28, 2003

TO:

Jennifer Garness

FROM:

Randy Growden

GIS/Addressing Staff Rochester-Olmsted County Planning Department

CC:

Denny Christopherson (Yaggy Colby)

RE:

**CENTURY HILLS SEVENTH SUBDIVISION** 

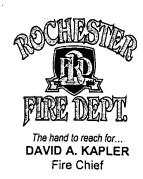
PRELIMINARY PLAT # 03-02

A review of the preliminary plat has turned up the following ADDRESS and ROADWAY related issues.

1. Roadway illustrated as STREET A needed a designation. Called Yaggy Colby and spoke with Denny Christopherson, we came up with CENTURY VIEW LANE NE for the roadway designation.

RECOMMENDATION: Change the roadway designation on Final Plat to CENTURY VIEW LANE NE.





DATE: January 29, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher

Fire Protection Specialist

SUBJ: Land Subdivision Permit (preliminary plat) 03-02 by Payne Company to be known as

Century Hills Seventh Subdivision.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.

2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.

Cul-de-sacs less than 96 feet in diameter shall be marked "No Parking" along the cul-de-sac. The cul-de-sac associated with this plan is indicated as less then 96 feet and therefore shall be marked "No Parking".

- 3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
- 4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division



- 6. The applicant shall provide On-site Storm Water Management for this development. A Storm Water Management fee shall apply to any areas of the property that do not drain to an approved privately constructed on-site detention fability. Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Declaration Agreement shall be required, for Outlots "C" and "D" as well as, dedication of access & drainage easements for private detention accilities.
- 7. An Ownership & Maintenance Declaration Agreement shall be required for Outlots "A" and "B" prior to Final Plat approval.
- 8. No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking." In addition, Outlot A is indicated at 28 feet in width and shall be posted "No Parking" parking along one side.
- 9. Construction and dedication of a temporary turn-a-round easement at the northerly extent of Autumn Lake Court SW shall be required with the dedication of a temporary turn-around easement being executed with the City prior to recording the final plat
- 10. Prior to Final Plat submittable applicant shall enter into a development agreement with the City that outlines the obligations of the applicant relating to, but not limited to; stormwater planagement, park dedication traffic improvements, pedestrian facilities dight-of-way dedication, dedication of controlled access, utility extension and provisions of easements outside the plat boundary for the Sanitary Sewer & Watermain under City Project J7717, phasing of development, Owner & Maintenance Declaration Agreement for Outlots "A" and "B" and contributions for public infrastructure.
- 11. This preliminary plat labels Outlot "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via a storm sewer for up to a 10-year storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Dutlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.



Land Subdivision Permit (preliminary plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide approximately 9.44 acres of land into 25 lots for single family development and proposes to dedicate right-of-way for a cul-de-sac roadway. The property is located south of 21<sup>st</sup> Street NE, east of Century Hills First Subdivision, west of Shannon Oaks Subdivision and north of Century Hills Sixth Subdivision.

Ms. Mitzi A. Baker presented the staff report, dated February 4, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Baker suggested the following revision to condition number 4 as follows: "The cul-de-sac bulb associated with this plan is indicated at less than 96 feet and shall be posted "No Parking"."

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City Planning and Zoning Commission Minutes
Hearing Date: February 12, 2003

Mr. Wade DuMond, of Yaggy Colby Associates, addressed the Commission. He stated that the applicant was in agreement with the staff-recommended conditions (as revised by Ms. Baker).

With no one else wishing to be heard, Ms. Petersson closed the public hearing.

Mr. Burke moved to recommend approval of Land Subdivision Permit (preliminary plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision with the staff-recommended findings and conditions (as revised by Ms. Baker). Mr. Ohly seconded the motion. The motion carried 6-0.

### **CONDITIONS:**

- 1. At the time of Final Plat submittal:
  - a. Change the roadway designation of "Street A" to "Century View Lane NE"
- 2. Dedication of parkland shall be met via: Deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 17, 2003.
- 3. Prior to recording the Final Plat for this development, the dedication of an off-site drainage easement to point discharge stormwater between Lots 9 & 10, shall be required.
- 4. The cul-de-sac bulb associated with this plan is indicated at less than 96 feet and shall be posted "No Parking."
- 5. Pedestrian Facilities shall be constructed, at the Developer's expense, along both sides of the proposed cul-de-sac and the entire frontage of the south side of 21<sup>st</sup> Street NE.
- 6. A Storm Water Management Fee shall apply for the benefit of participation in the City's Storm Water Management Plan, for any areas of this proposed development that do not drain to a privately constructed permanent detention facility, built to serve this property.

Land Subdivision Permit (preliminary plat) #03-43 by Century Point LLC to be known as Century Point First. The applicant is proposing to subdivide approximately 10.57 acres of land into 34 lots for single family residential development. The Plat also proposes to dedicate right-of-way for new public roadways, including Century Hills Drive and two culde-sac roads. The property is located alority the east side of East Circle Drive (CR22), north of Silver Creek Road at the East Circle Drive entrance to the Century Hills development

Ms. Mitzi A. Baker presented the staff report dated February 5, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.